IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUNATION SHEET
CIVIL APPLICATION NO.249 OF 2007
IN
APPEAL FROM ORDER NO.167 OF 2007

.....

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	**Court's or Judge's orders**

.....

Mr.S.S.Rai for the Applicant
Mr.J.M.D'silva for Respondent Nos.1 and 2.

CORAM: A.S.OKA, J.
DATE : MARCH 22,2007.

P.C.:

1. Rule. Advocate for the Respondent Nos.1 and 2 waives service.

2. Prayer (a) is for temporary injunction and the prayer (b) is for the appointment of the Court Receiver. Such a drastic order of appointment of Court Receiver cannot be passed at this stage when Appeal is not yet heard. In so far as prayer clause (a) is concerned, the learned Advocate for the Respondent Nos.1 and 2 on instructions of the said respondents states that they will not create any third party interests in respect of the suit shop and they will not part with

possession of the suit shop till the disposal of the Appeal. The statement is accepted.

3. In view of this statement, it is not necessary to grant relief in terms of prayer clause (a).

4. Subject to the statement which is recorded above, the Civil Application is rejected.

JUDGE